

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DAVID A. JOFFE,

Plaintiff,

v.

KING & SPALDING LLP,

Defendant.

Case No. 17-cv-3392 (VEC) (SDA)

DECLARATION OF DAVID A. JOFFE

I, David A. Joffe, Esq., am an attorney admitted to practice before this Court and am the plaintiff in this action, proceeding pro se. I submit this Declaration in support of Plaintiff's Memorandum of Law in Opposition to Defendant's Motion to Exclude the Testimony of Gordon Kamisar, and pursuant to 28 U.S.C. § 1746 hereby declare:

1. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the transcript of the October 20, 2017 deposition of M. Robert Thornton.
2. Attached hereto as Exhibit 2 is a true and correct copy of the Expert Report of Gordon Kamisar, dated October 10, 2018.
3. Attached hereto as Exhibit 3 is a true and correct copy of the Rebuttal Expert Report of Carlynn Magliano Sweeney, dated November 9, 2018.
4. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the transcript of the November 15, 2018 deposition of Carlynn Magliano Sweeney.
5. Attached hereto as Exhibit 5 is a true and correct copy of the transcript of the November 19, 2018 deposition of Gordon Kamisar.
6. Attached hereto as Exhibit 6 is a true and correct copy of K&S's Associate Salary Scale, dated July 2016 and bearing Bates number K&S_0000350.

7. Attached hereto as Exhibit 7 is a true and correct copy of the Complaint in Hoeffner v. Orrick, Herrington & Sutcliffe LLP et al., No. 602694/2005 (N.Y. Cnty.), dated July 22, 2005.

8. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the transcript of the October 3, 2017 deposition of David A. Joffe.

9. Attached hereto as Exhibit 9 is a true and correct copy of the unsigned Separation Agreement offered by King & Spalding to David A. Joffe and dated December 7, 2016.

10. Attached hereto as Exhibit 10 is a true and correct copy of the King & Spalding policy on Claims, Situations That Might Lead to Claims, and Subpoenas/Discovery Directed to the Firm and Its Lawyers, bearing Bates number K&S_0003544.

11. Attached hereto as Exhibit 11 is a true and correct copy of an email from M. Carter to D. Tetrick and M. Moss, copying L. Keyes, dated June 30, 2016 and bearing Bates numbers K&S_0003274-75.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 13, 2019

By: /s/ David A. Joffe
David A. Joffe, Esq. (pro se)